UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

GREATER ST. LOUIS)	
CONSTRUCTION LABORERS)	
WELFARE FUND, et al.,)	
)	
Plaintiffs,)	
)	
VS.)	Case No. 4:05CV2266 CDP
)	
MERTENS PLUMBING AND)	
MECHANICAL INC., et al.,)	
)	
Defendants.)	

ORDER

On September 22, 2006, the parties filed a Designation of Neutral. After reviewing the contents of that document, I will treat it as a motion to vacate the order referring the case to ADR. As defendants state that they are unable to pay for even their share of the cost of mediation, I believe that mediation is unlikely to be productive. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion to vacate the ADR order [#35] is granted.

CATHERINE D. PERRY

UNITED STATES DISTRICT JUDGE

Dated this 27th day of September, 2006.